



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 23-169

Report No. TEL-02255

Thursday March 2, 2023

International Authorizations Granted

Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)

The following applications have been granted pursuant to the Commission's processing procedures set forth in sections 63.12, 63.20 of the Commission's rules, 47 CFR §§ 63.12, 63.20, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing the applications as accepted for filing.

Unless otherwise noted, these grants authorize the applicants: (1) to become a facilities-based international common carrier subject to 47 CFR §§ 63.21, 63.22; and/or (2) to become a resale-based international common carrier subject to 47 CFR §§ 63.21, 63.23; (3) to assign or transfer control of international section 214 authority in accordance with 47 CFR § 63.24; or (4) to exceed the foreign ownership benchmarks applicable to common carrier radio licensees under 47 U.S.C. § 310(b); see Subpart T of Part 1 of the Commission's rules, 47 CFR §§ 1.5000-5004.

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 CFR §§ 1.106, 1.115, in regard to the grant of any of these applications may be filed within thirty days of this public notice (see 47 CFR § 1.4(b)(2)).

ITC-214-20220818-00103

E

iTalkUSA Communications LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 02/28/2023

iTalkUSA Communications LLC (iTalkUSA) filed an application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules and to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules. 47 CFR § 63.18(e)(1), (2).

iTalkUSA, a Delaware corporation, is 100% owned by Jonathan Davis, a U.S. citizen.

ITC-ASG-20221205-00147

E

Climax Telephone LLC

Assignment

Grant of Authority

Date of Action: 02/12/2023

Current Licensee: Climax Telephone Company**FROM:** Climax Telephone Company**TO:** Climax Telephone LLC

On December 5, 2022, Climax Telephone LLC filed a notification of the pro forma assignment of international section 214 authorization, ITC-214-20110314-00072, effective November 7, 2022. Climax Telephone LLC filed a supplement on February 6, 2023.

As part of a corporate restructuring, on October 7, 2022, Climax Telephone Company converted from a Michigan corporation to a Delaware limited liability company, Climax Telephone LLC. CTS Communications Corporation, the 100% direct parent of Climax Telephone LLC, also converted from a Michigan corporation to a Delaware limited liability company. On November 7, 2022, the following wholly owned entities of Metronet Holdings, LLC, a Delaware entity, and the ultimate parent of Climax Telephone LLC, were inserted between Climax Telephone LLC and Metronet Holdings, LLC: Q-Comm NewCo, LLC; Q-Comm Python Corporation; Venus Python Newco Corp.; Python Holdings LLC; MetroNet Preferred Holdings, LLC (formerly known as NTS Communications Holdings, LLC); Metronet Vexus Holdings, Inc.; MetroNet Subsidiary Holdings, LLC; Metronet Infrastructure Manager, LLC; Metronet Infrastructure Holdings, LLC; and, Metronet Infrastructure Issuer, LLC.

ITC-ASG-20221205-00148

E

Jaguar Communications LLC

Assignment

Grant of Authority

Date of Action: 02/12/2023

Current Licensee: Jaguar Communications, Inc.**FROM:** Jaguar Communications, Inc.**TO:** Jaguar Communications LLC

On December 5, 2022, Jaguar Communications LLC filed a notification of the pro forma assignment of international section 214 authorization, ITC-214-20010125-00060, effective November 7, 2022. Jaguar Communications LLC filed a supplement on February 6, 2023.

As part of a corporate restructuring, on October 7, 2022, Jaguar Communications Inc. converted from a Minnesota corporation to a Delaware limited liability company, Jaguar Communications LLC. On November 7, 2022, the following wholly owned entities of Metronet Holdings, LLC, a Delaware entity and the ultimate parent of Jaguar Communications LLC, were inserted between Jaguar Communications LLC and Metronet Holdings, LLC: Q-Comm NewCo, LLC; Q-Comm Python Corporation; Venus Python Newco Corp.; Python Holdings LLC; MetroNet Preferred Holdings, LLC (formerly known as NTS Communications Holdings, LLC); Metronet Vexus Holdings, Inc.; MetroNet Subsidiary Holdings, LLC; MetroNet Securitization Warehouse Holdings, LLC; and, MetroNet Securitization Warehouse Borrower, LLC.

ITC-ASG-20221205-00149

E

Vexus Fiber, LLC

Assignment

Grant of Authority

Date of Action: 02/12/2023

Current Licensee: NTS Communications, LLC**FROM:** NTS Communications, LLC**TO:** Vexus Fiber, LLC

On December 5, 2022, Vexus Fiber, LLC filed a notification of the pro forma assignment of international section 214 authorization, ITC-214-19971024-00657, effective November 7, 2022. Vexus Fiber LLC filed a supplement on February 6, 2023.

As part of a corporate restructuring, on October 8, 2022, NTS Communications, LLC converted from a Delaware limited liability company to a Delaware corporation and changed its name to Vexus Fiber, Inc. On November 4, 2022, Vexus Fiber, Inc. converted from a Delaware corporation to a Delaware limited liability company, Vexus Fiber, LLC. On November 7, 2022, the following wholly owned entities of Metronet Holdings, LLC, a Delaware entity and the ultimate parent Vexus Fiber LLC, were inserted between Vexus Fiber LLC and Metronet Holdings, LLC: Q-Comm NewCo, LLC; Q-Comm Python Corporation; Venus Python Newco Corp.; Python Holdings LLC; MetroNet Preferred Holdings, LLC (formerly known as NTS Communications Holdings, LLC); Metronet Vexus Holdings, Inc.; Metronet Systems Holdings, LLC; MetroNet Subsidiary Holdings, LLC; MetroNet DevCo Parent, LLC; and, MetroNet DevCo Borrower, LLC.

Transfer of Control

Grant of Authority

Date of Action: 02/24/2023

Current Licensee: Pure IP US LLC**FROM:** Pure IP US LLC**TO:** TSCP CV I, L.P.

Pure IP US, LLC (Pure IP US), a Delaware entity that holds an international section 214 authorization (ITC-214-20121213-00324), filed an application for the transfer of control of Pure IP US to TSCP CV I, L.P. (TSCP). The Applicants filed a supplement on February 2, 2023.

Pursuant to an October 31, 2022, agreement, BCM One Group Holdings, Inc. (BCM One Holding), which is controlled by TSCP, will take control of Pure IP US. Specifically, NewCo LLC, a new wholly owned subsidiary of BCM One Holdings, will acquire Pure IP US. Upon consummation, Pure IP US will be a direct wholly owned subsidiary of NewCo LLC and an indirect wholly owned subsidiary of BCM One Holding, both Delaware entities.

TSCP, a Delaware entity, has approximately 81% equity and 83% voting interests and control of BCM One Holding. According to the Applicants, the other approximate 19% equity and 17% voting direct interests are held by multiple other investors, none of which holds a 10% or greater interest in BCM One Holding.

TSC CV I GP, L.P., a Delaware entity, is the general partner of TSCP. The general partner of TSC CV I GP, L.P. is Thompson Street Capital UGP LLC (Thompson Street UGP), a Delaware entity. Thompson Street Capital Manager LLC (Thompson Street Manager), a Delaware entity, is the Investment Advisor for TSCP CV I, L.P. The sole member manager of Thompson Street Manager is TSCP Management Holdings, L.P. whose general partner is TSCP Holdings GP, LLC (TSCP Holding), both Delaware entities. James A. Cooper and Robert C. Dunn, both U.S. citizens, are the controlling members of Thompson Street UGP and TSCP Holding.

The equity interests in TSCP are held by multiple limited partners only two of which hold a 10% or greater interest. AlpInvest Partners B.V., a Netherlands entity, controls multiple AlpInvest funds which, in the aggregate, hold 39.4% limited partnership interests in TSCP. Only one AlpInvest fund holds a 10% or greater interest in TSCP: AlpInvest Secondaries Fund VII B C.V., a Netherlands entity (10.4%). AlpInvest Partners B.V. is wholly owned by The Carlyle Group Inc., a publicly traded Delaware entity with no 10% or greater owners. In addition, Stamford Bridge Investment Pte. Ltd (Stamford Bridge), a Singapore entity, holds an 18% limited partnership interest in TSCP. Stamford Bridge is wholly owned by GIC (Ventures) Pte. Ltd., a Singapore entity, that is wholly owned by the Singapore Minister for Finance.

According to the Applicants, no other individual or entity will hold a 10% or greater direct or indirect equity or voting interest in Pure IP US.

In the Executive Branch Review Process Order, the Commission set out categories of applications and petitions with reportable foreign ownership that may be excluded from referral to the Executive Branch for review for national security, law enforcement, foreign policy, and trade policy issues. See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC 10927, 10938-42, paras. 29-39 (2020). The Applicants made a showing that after consummation of the proposed transaction, the only reportable foreign ownership in TSCP and Pure IP US will be through passive, offshore intermediary holding companies and that 100% of the ultimate control of Pure IP will be held by U.S. citizens or entities. Therefore, we exercised our discretion and did not refer this Application to the Executive Branch. Although we did not formally refer this Application, per standard practice, we provided a courtesy copy of the public notice to the Executive Branch agencies. See id. at 10939, para 30, n. 81.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

Dismissal**ISP-PDR-20200807-00007**

Gravity Media USA Corp

Petition hereby dismissed by Chief, Telecommunications and Analysis Division, International Bureau on February 27, 2023, pursuant to section 1.10014(b) of the Commission's rules, 47 CFR 1.10014(b). This dismissal is without prejudice to re-filing the petition in accordance with the Commission's rules.

SURRENDER**ITC-214-19970618-00340**

VDL INC., T/A Global Telecom Brokers

By letter filed on February 27, 2023, VDL, Inc. notified the Commission that it surrendered its international section 214 authorization effective February 27, 2023.

ITC-214-20010920-00480

Big River Telephone Company, LLC

By letter filed on February 15, 2023, Big River Telephone Company, LLC notified the Commission that it surrendered its international section 214 authorization effective February 15, 2023.

ITC-214-20040518-00203

Telxius Cable USA, Inc.

By letter filed on February 17, 2023, Telxius Cable USA, Inc. notified the Commission that it surrendered its international section 214 authorization effective February 17, 2023.

ITC-214-20051121-00476

NEXOGY, INC

By letter filed on February 23, 2023, NEXOGY, INC. notified the Commission that it surrendered its international section 214 authorization effective February 23, 2023.

SURRENDER

ITC-214-20070911-00377

T3 Communications, Inc

By letter filed on February 23, 2023, T3 Communications, Inc. notified the Commission that it surrendered its international section 214 authorization effective February 23, 2023.

ITC-214-20080709-00314

Telxius Cable USA, Inc.

By letter filed on February 17, 2023, Telxius Cable USA, Inc. notified the Commission that it surrendered its international section 214 authorization effective February 17, 2023.

ITC-214-20131121-00316

Telxius Cable Puerto Rico, Inc.

By letter filed on February 17, 2023, Telxius Cable Puerto Rico, Inc. notified the Commission that it surrendered its international section 214 authorization effective February 17, 2023.

ITC-214-20140224-00042

Phonetime US Inc.

By letter filed on February 28, 2023, Phonetime US Inc. notified the Commission that it surrendered its international section 214 authorization effective February 28, 2023.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List is maintained in the FCC Reference Information Center and is available at <https://www.fcc.gov/exclusion-list-international-section-214-authorizations>. It is also attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 CFR § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 CFR § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 CFR Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) International facilities-based service providers must file and maintain a list of U.S.-international routes on which they have direct termination arrangements with a foreign carrier. 47 CFR § 63.22(h). A new international facilities-based service provider or one without existing direct termination arrangements must file its list within thirty (30) days of entering into a direct termination arrangement(s) with a foreign carrier(s). Thereafter, international facilities-based service providers must update their lists within thirty (30) days after adding a termination arrangement for a new foreign destination or discontinuing an arrangement with a previously listed destination. See Process For The Filing Of Routes On Which International Service Providers Have Direct Termination Arrangements With A Foreign Carrier, ITC-MS-20181015-00182, Public Notice, 33 FCC Rcd 10008 (IB 2018).
- (8) Any U.S. Carrier that owned or leased bare capacity on a submarine cable between the United States and any foreign point must file a Circuit Capacity Report to provide information about the submarine cable capacity it holds. 47 CFR § 43.82(a)(2). See <https://www.fcc.gov/circuit-capacity-data-us-international-submarine-cables>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.

(12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

(13) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 CFR §§ 1.20000 et seq.

(14) Every carrier must designate an agent for service in the District of Columbia. See 47 U.S.C. § 413, 47 CFR §§ 1.47(h), 64.1195.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 CFR § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 CFR § 63.22(c).

Countries:

None.

Facilities:

Any non-U.S.-licensed space station that has not received Commission approval to operate in the U.S. market pursuant to the procedures adopted in the Commission's DISCO II Order, IB Docket No. 96-111, Report and Order, FCC 97-399, 12 FCC Rcd 24094, 24107-72 paragraphs 30-182 (1997) (DISCO II Order). Information regarding non-U.S.-licensed space stations approved to operate in the U.S. market pursuant to the Commission's DISCO II procedures is maintained at <https://www.fcc.gov/approved-space-station-list>.

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at <https://www.fcc.gov/exclusion-list-international-section-214-authorizations>.

For additional information, contact the International Bureau's Telecommunications and Analysis Division, (202) 418-1480.